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RF17024030 US
(tracking number for mailed copy)

7 **IN THE FEDERAL DISTRICT COURT FOR**
8 **THE MIDDLE DISTRICT OF PENNSYLVANIA**
9 **COMMONWEALTH OF OR REPUBLIC OF:**
10 **CIVIL ACTION**

11 COMMONWEALTH OF PENNSYLVANIA – A

Case No.:

12 FICTITIOUS FOREIGN STATE; AND A FICTITIOUS
13 FOREIGN CORPORATION;

14 v.

15 RASHAAN MECHELLE ELAM

16 Defendant in Error

17 **NOTICE AND DEMAND:**
18 **WRIT OF ERROR CORAM NOBIS**
19 **DEMAND FOR DISMISSAL**
20 **[OR REVERSAL] FOR LACK**
21 **OF JURISDICTION**

22 :elam, rashaan, mechelle:

23 non-corporate entity(s)

24 v.

25 COMMONWEALTH OF PENNSYLVANIA – A

26 FICTITIOUS FOREIGN STATE; AND A FICTITIOUS
27 FOREIGN CORPORATION;

28 **REBUTTAL OF VERIFIED COMPLAINT**
AND
PROOFS OF CLAIMS

Re: Judge PAUL M. FEGLEY .

Re: ESQUIRE M. L. EBERT JR.

DISQUALIFICATION OF JUDGE PAUL M. FEGLEY

To all concerned:

Re: Case No. MJ-09201-CR-0000039-2018

Now comes :elam, rashaan, mechelle; COMPLAINANT and pursuant to Article VI clause 2 of the organic
Constitution of these united states of America as per the Supremacy Clause.
[WRIT OF ERROR CORAM NOBIS DEMAND FOR DISMISSAL] - I

FILED
HARRISBURG, PA
APR 23 2018
PER *ll*
DEPUTY CLERK

Affiant has not seen or been presented with any documentation verifying that i have voluntarily, knowingly and intentionally, entered into a contract with any civil court, to perform to your demands; and believe that no such verified documentation exists;

Affiant has not seen or been presented with documentation verifying that all the terms of the contract were disclosed in the document, and believes that no such verified documentation exists;

AFFIDAVIT OF VALIDATION

i HEREBY ALSO DEMAND TO RECEIVE THE FOLLOWING PROOF OF CLAIMS ANSWERED.

Please respond in affidavit of validation OR VERIFICATION OF CLAIM form under your full and complete commercial, corporate and personal liability that you have the proofs of your claims.

1. Proof of Claim: That you had the authority under the constitution as per your oath of office, to COMPLETELY deny and dismiss "ALL" my affidavits, evidences, documents, papers, jurisdictional and constitutional demands and challenges and all others forms or claims, as per your own judicial determination signed by you on January 28, 2018.
2. Proof of Claim: That by completely stripping, eliminating, and suppressing ALL my claims, proofs, documents and demands and leaving me naked BEFORE THE COURT, with out any evidence in support of my case is NOT a violation of my constitutional rights and liberties.
3. Proof of Claim: That the law allows judges to be handed a document by any Esquire, WITHOUT YOU EVEN READING IT AND SIGNING, denying and dismissing all MY motions, all affidavits, all papers, all documents, all jurisdictional and constitutional demands, and ALL OTHER GROUNDS, as per the document you signed
4. Proof of Claim: That plaintiffs do not have to prove their claims as the moving party in their verified complaint.
5. Proof of Claim: That defendant has to prove the claims of the plaintiffs' as per your judicial determination and demands.
6. Proof of Claim: That i as a defendant in error, have to answer by law a verified complaint against another verified complaint from the Plaintiff who is the moving party that refuses to answer my Affidavit of rebuttal of their verified complaint.
7. Proof of Claim: That defendant has received a certified copy with proof of return receipt of the new amended verified complaint to respond to, in the time frame demanded.
8. Proof of Claim: That this civil court has a verifiable contract signed by me before trial, giving the court complete jurisdiction over a non-corporate living man.
9. Proof of Claim: That any Barrister and/or Solicitor or person from any foreign country, without having to be here in the U.S.A., can file a long-distance verified complaint from inside Canada and does not have to be here to testify at court in any trial.

10. Proof of Claim: That as judge that you have subject matter jurisdictional authority in an Article 1 court.

11. Proof of Claim: That as judge that you have subject matter jurisdictional authority in an Article 3 court.

12. Proof of Claim: That as judge that you have subject matter jurisdictional authority in an Article 4 court.

13. Proof of Claim: That as stated by you that you are a judge presiding in an ARTICLE 5 COURT.

14. Proof of Claim: That you as judge, that you will/do not have to protect my Constitutional liberties/rights as per your oath of office.

15. Proof of Claim: That the MDJ 09-2-01 is not a private corporation ,even though Dun and Bradstreet D-U-N-S numbers were supplied and entered into the court record and sent to plaintiffs, that the court listed themselves as a PRIVATE corporation.

16. Proof of Claim: That the COMMONWEALTH OF PENNSYLVANIA is not a private corporation and that the causes of actions are not in REM against defendant.

Proof of claim: That you and the court, corporation, dept etc. has giving me full and complete disclosure over any and all contracts or over anything and everything claimed.

17. Proof of Claim: That you have complete authority over this Sovereign non-corporate living man within the country.

18. Proof of Claim: That you have complete authority over this living man upon the land.

19. Proof of Claim: That you are not a registered member of the Bar Association.

20. Proof of Claim: That the American Bar Association is not a foreign International Private organization, which makes Bar members foreign agents in a foreign state, under the Foreign sovereign immunities act (FSIA).

21. Proof of Claim: That in accordance to Title 26, Sec. 6305, Upon certification from the Secretary, the Commissioner shall collect the obligation as though it were a tax. It means they are collecting an insurance premium. Everything is insurance under contributions

22. Proof of Claim: That CATRONA 297 Fed.Supp. p. 827, 1924 District Court decision. In admiralty, they fictionalize the vessel; they make the vessel a juristic person. Public Vessels Act, 1925 – they fictionalized the vessels. In 1920, they passed the Suits in Admiralty Act, where the US waived judicial and sovereign immunity and they consented to be sued. In Admiralty, that is where your article 3 court is. That is where your common law is. Under the Admiralty. Every state case should be moved under Title 28, Sec. 1446 - Move to Federal court as a Federal Question under the constitution, Art. 3, Sec. 2 gives the District Court original jurisdiction of all Admiralty Maritime claims.

23. Proof of Claim: That the Judge has a Special commission is required in "Prize proceedings", which is [WRIT OF ERROR CORAM NOBIS DEMAND FOR DISMISSAL] - 3

a "Letter of Marquis" and they are still being issued. "Do you have a Letter of Marquis under the King's Bench, which is a special commission to collect revenue"

24. Proof of Claim: That i am a ward of the court under Admiralty. Go read Garrett vs. McCormick, 1943 decision. It is a cestui que trust – He who has a right to a beneficial interest in and out of an estate the legal title to which is vested in another. The person who possesses the equitable right to property and receives the rents, issues, and profits thereof; the legal estate of which is vested in a trustee. Beneficiary of trust. Black's 5th, p. 208.

25: Proof of Claim: That Claimant is not a special intervener in accordance to Federal Rules of Civil Procedure Rule 24a 1924 New York Federal District Court two page decision as to how to proceed in Admiralty

26. Proof of Claim: That In Admiralty, you have a Plaintiff, a Defendant, and an Intervener. You are trying to come in as an Intervener because that is the only way you can win in Admiralty without giving the court jurisdiction and venue. Once you give them Venue, you are the Debtor. You have subrogated yourself. The word "Subrogation" means substitution. You have substituted yourself for the Debtor / Defendant under the bankruptcy laws, Title 11, Section 109 and the fourth section of the fourteenth amendment, which says that no citizen or resident of the United States can challenge the validity of the public and national debt.

27: Proof of Claim: That the judge has a Letter of Marquis under title 10 USC section 7355

28. Proof of Claim: That in the case of Walter Cox, a real Supreme Court Justice, wrote a historical review. The three commissioners that did the Revised Statutes of 1873 and 1874 did so without any authority whatever. Thomas Jefferson Durant did the third revision, which was never approved by the Congress or the Senate. The President signed it into law. That is what your Title 1-50 is. Title 26 is De Facto Law. What they did was illegal. None of these codes are legal and this is where your insurrection and rebellion acts came from that are in Title 50, sec. 212-213. You cannot bring Maritime law inland. Read Title 18, sec. 7 – A citizen of the US is a vessel by legal definition. This is where the Extra Territorial jurisdiction of the US. Adding on "Benedict on Admiralty" – Changing the face of America, vol.1, section 23, page 137 states that the Savings Clause of the Judiciary Act of the Judicial Code (that is where you find Title 28, section 1333). The federal district courts will have original jurisdiction of all claims in Admiralty Maritime Law, Savings to Suitors, and remedy in Common Law where Common Law is provided for. Therefore, you can take an Admiralty Maritime Claim and adjudicate it in a state court if the Common Law gives you a remedy. The problem is that now, this was back in 1789, and you do not have any Common Law anymore. They have reversed everything, and now you have to go through Admiralty to get to your Common Law. If you get out of the system, you can use the Common Law; You can do a Replevin. Get "Common Law Pleadings" by Joseph H. Koffler.

29. Proof of Claim: That under Title 26§ 1040

(a) General rule...If the executor of the estate of any decedent transfers to a qualified heir (within the meaning of 2032A (e)(1)) any property with respect to which an election was made under section 2032A

30. Proof of Claim: That Proof of Claim: That you have a verified complaint sworn or affirmed under penalty of perjury by one of the people

31. Proof of Claim: That the Judge has an Oath of Office in accordance with [Title 5 USC § 3331]

32. Proof of Claim: That Officer Affidavit in accordance with [Title 5 USC § 3332] and/or Employee [WRIT OF ERROR CORAM NOBIS DEMAND FOR DISMISSAL] - 4

Affidavit in accordance [Title 5 USC § 3333]

33. Proof of Claim: That the Claimant is not rewarded recoupment under UCC article 3 section 305 and 306

34. Proof of Claim: That there is a Surety Bond in accordance with [Title 5 USC § 2901]

35. Proof of Claim: That the court has subject matter jurisdiction and there is sworn factual testimony in accordance to Federal Rules of Civil Procedure rule 12 b(2)

36. Proof of Claim: That

Proof of Claim of any lawful law that proves that a non-corporation living man upon the law, has to pay any court a tax or fine.

Proof of Claim that the supreme courts in each State were actually following a state and federal real law, that permitted the fellow Bar members of the supreme courts, to allow fellow Bar members in each state and federal government, as part of the judicial branch of government in each state and federal government courts.

37. Proof of Claim: That you as judge are above the Supreme Court's rulings and that you are above the law of this land.

38. Proof of Claim: That the Constitution is not the Supreme Law of this land and/ or in this or any court and that you do not have to adhere to your oath of office to uphold said oath and constitution.

39. Proof of Claim: That you can prove the "LAW" you asked for, that would supply the proof of why you should not have dismissed all my affidavits, and all documents.

40. Proof of Claim: Of why my affidavits of "denial of corporate existence" was not allowed under the FSIA.

41. Proof of Claim: That the court upon challenge will/does not have to rebut or disprove the fact -- that I am not a corporation.

42. Proof of Claim: That affidavits and statements of facts are not proof of anything and will not be allowed to be presented at trial as per your judgment.

43. Proof of Claim: That sworn affidavits and statements of facts will/can not be admissible as evidence, when the evidence within the affidavits, will clearly prove the claims of the defendant.

44. Proof of Claim: That verified complaints are admissible as evidence and sworn affidavits are not.

45. Proof of Claim: That an un rebutted affidavit's by plaintiffs has standing and will be completely ignored in your/any court.

46. Proof of Claim: That an article five court is a civil court of record, which was passed by congress.

47. Proof of Claim: That contract fraud, does not violate a contract and does not make it null and void.

[WRIT OF ERROR CORAM NOBIS DEMAND FOR DISMISSAL] - 5

48. Proof of Claim: That under the common law and the U.C.C. §1-308 & U.C.C. §1-103.6, i did not have the right to reserve my rights and to demand my money back and file a lien to secure moneys defrauded from me.

49. Proof of Claim: That you have not allowed Esquire M. L. Ebert Jr., to amend with out full disclosure to me, his new verified complaint in order for you both to refuse and deny my constitutional rights and liberties to a jury trial.

50. Proof of Claim: That M. L. Ebert Jr. did not file asking for high punitive damages and fines in the original verified complaint, giving me the right to a jury trial.

51. Proof of Claim: That based upon your actions against my constitutional rights and liberties that you are not in violation of your oath of office.

52. Proof of Claim: That based upon your actions, you were not an advocate of the Plaintiffs' esquire, by stating that verified complaints are admissible as evidence and that my sworn affidavits are not and won't be allowed in your court.

53. Proof of Claim: That based upon your actions, that any observer could see that a fair and impartial trial was not possible in this 9th circuit court.

54. Proof of Claim: That that the affidavit of "notice of fraud upon the court" was nonsense, as stated by you.

55. Proof of Claim: of why you should not be disqualified because of your numerous violations of my rights and liberties.

56. Proof of Claim: Of any LAW passed by congress that can deny me, the right to hire my own court stenographer in a jury trial or at any and all trials.

Affidavit pursuant to 29, United States Code, Title 1746

See Dickerson vs. Wainwright, 626 F.2d Title 1184, held affidavit sworn true and correct under penalty of perjury has full force of law and does not have to be verified by Notary Public to have same effect.

Under penalty of perjury i declare that the foregoing facts within this document/verified complaint/affidavit are true, correct and complete, to the best of my knowledge.



Elam, rashaan, mechelle

rashaan-mechelle: of the family Elam
without prejudice, all rights reserved U.C.C. 1-308

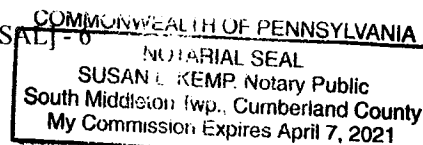
SWORN TO AND SUBSCRIBED BEFORE ME this the 16 day of April, 2018.

SEAL

Susan L Kemp

Notary Public - Commonwealth of Pennsylvania in Cumberland County. My commission expires: April 7, 2021

[WRIT OF ERROR CORAM NOBIS DEMAND FOR DISMISSAL]



April 18, 2018